



## COMMISSIONER FOR PATENTS

FORM PTO-2053-B (REV. 10/03)

Approved for use through 07/31/2006. OMB 0651-0031  
U.S. Patent and Trademark Office; U. S. DEPARTMENT OF COMMERCE

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In re Application of:

Aehle Wolfgang, Sandra W. Ramer, Volker Schellenberger

Application No.:

10/688,255 -- Attorney Docket No. GC816

Filing Date:

October 16, 2003

Title:

Generation of stabilized proteins by combinatorial  
consensus mutagenesis

Direct to:

Mail Stop MISSING PARTS  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

**NOTICE UNDER 37 CFR 1.251 – Pending Application****Statement (check the appropriate box):**

The copy submitted with this reply is a complete and accurate copy of applicant's record of all of the correspondence between the Office and the applicant for the above-identified application (except for U.S. patent documents), and applicant is not aware of any correspondence between the Office and applicant for the above-identified application that is not among applicant's records.

The copy of the paper(s) listed in the notice under 37 CFR 1.251 is/are a complete and accurate copy of applicant's record of such paper(s).

The papers produced by applicant are applicant's complete record of all of the correspondence between the Office and the applicant for the above-identified application (except for U.S. patent documents), and applicant is not aware of any correspondence between the Office and the applicant for the above-identified application that is not among applicant's records.

Applicant does not possess any record of the correspondence between the Office and the applicant for the above-identified application.

January 12, 2005

Date

  
SignatureH. Thomas Anderton, Jr.

Typed or printed name

**A Copy of this notice should be returned with the reply.**

Burden Hour Statement: This collection of information is required by 37 CFR 1.251. The information is used by the public to reply to a request for copies of correspondence between the applicant and the USPTO in order to reconstruct an application file. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This form is estimated to take 60 minutes to complete. This time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS



-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**NOTICE UNDER 37 CFR 1.251 - Pending Application**

The file of the above-identified application cannot be located after a reasonable search. Therefore, the Office is initiating the reconstruction of the file of the above-identified application pursuant to the provisions of 37 CFR 1.251.

Applicant is given a period of **THREE (3) MONTHS** from the mailing date of this notice within which to provide a copy of applicant's record (if any) of all of the correspondence between the Office and applicant for the above-identified application (except for U.S. patent documents), a list of such correspondence, and a statement that the copy is a complete and accurate copy of applicant's record of all of the correspondence between the Office and the applicant for the above-identified application (except for U.S. patent documents), and whether applicant is aware of any correspondence between the Office and applicant for the above-identified application that is not among applicant's records.

The following paper(s) pertaining to the above-identified application cannot be located after a reasonable search:

**Pre-exam Formalities Notice filed on 02-03-2004**

Therefore, the Office is initiating the reconstruction of such paper(s) pursuant to the provisions of 37 CFR 1.251.

Applicant is given a period of **THREE (3) MONTHS** from the mailing date of this notice within which to provide a copy of the paper(s) listed above and a statement that the copy of such paper(s) is a complete and accurate copy of applicant's record of such paper(s).

Alternatively, applicant may reply to this notice by producing applicant's record (if any) of all of the correspondence between the Office and the applicant for the above-identified application for the Office to copy (except for U.S. patent documents), and provide a statement that the papers produced by applicant are applicant's complete record of all of the correspondence between the Office and the applicant for the above-identified application (except for U.S. patent documents), whether applicant is aware of any correspondence between the Office and the applicant for the above-identified application that is not among applicant's records. Such records must be brought to the Customer Service Center in the Office of Initial Patent Examination (Crystal Plaza 2, 2011 South Clark Place, Arlington, VA 22202).

If applicant does not possess any record of the correspondence between the Office and the applicant for the above-identified application (or any copy of the paper(s) listed above), applicant must reply to this notice by providing a statement that applicant does not possess any record of the correspondence between the Office and the applicant for the above-identified application.

Failure to reply to this notice in a timely manner will result in abandonment of the above-identified application. The three-month period for reply to this notice may be extended (up to a maximum of six months) under the provisions of 37 CFR 1.136(a). However, failure to reply within this three-month period will result in a reduction of any patent term adjustment. See 37 CFR 1.704(b).

A printout from PALM of the contents of the file of the above-identified application is included with this notice.

Direct the reply to this notice to:

Mail Stop: MISSING PARTS  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Direct questions concerning this notice to:

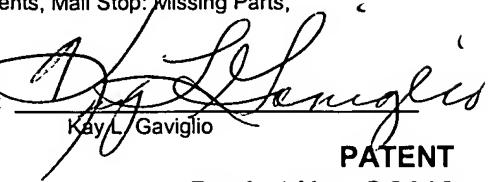
James Murphy  
( 703 ) 305-6890



I hereby certify that this correspondence is being deposited with the US Postal Service with sufficient postage as First Class Mail in an envelope addressed to the Commissioner for Patents, Mail Stop: Missing Parts, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Date: January 14, 2004

By: Key L. Gaviglio

  
PATENT  
Docket No. GC816

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of )  
Aehle, et al. ) Group Art Unit: 1639  
Serial No.: 10/688,255 ) Examiner: Unassigned  
Filed: October 16, 2003 )  
For: Generation Of Stabilized Proteins )  
By Combinatorial Consensus )  
Mutagenesis )

### REONSE TO PTO REQUEST

Mail Stop: Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In accordance with 37 CFR 1.251, Applicant's enclose a copy of the prosecution file for the above-referenced application.

Respectfully submitted,

  
H. Thomas Anderton  
Registration No. 40,895

Date: January 14, 2005

Genencor International, Inc.  
925 Page Mill Road  
Palo Alto, CA 94304-1013  
Tel: 650-846-7544  
Fax: 650-845-6504

Encl. – List of Documents/Documents  
PTO-2053-B

List of Documents requested under 37 CFR 1.251 – Pending Application

1. Application filed October 16, 2003 with unexecuted declaration
2. Transmittal of Application
3. Copy of original postcard sent to PTO and returned postcard from the PTO
4. Filing Receipt
5. Notice of File Missing Parts of Nonprovisional Application
6. Transmittal of Missing Parts
7. Copy of Missing Parts Notice
8. Signed Declaration
9. Assignment Recordation Sheet
10. Signed Assignment
11. Preliminary Amendment
12. Paper Copy of Sequence Listing
13. Diskette Copy of Sequence Listing (submitting new diskette 1.14.05)
14. Statement of Sameness
15. Copy of original postcard and return postcard from PTO
16. Notice of Recordation of Assignment Document
17. Updated Filing Receipt